

REMARKS

Claims 8 to 14 are pending in the present application.

In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is therefore respectfully requested.

Claims 8, 9, 11, 13 and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,950,035 ("Tanaka") in view of U.S. Patent No. 3,906,640 [sic – should be 6,906,640] ("Gotzig").

The Office Action states in paragraph 2 that the Gotzig reference is U.S. Patent No. 3,906,640. In the Notice of References Cited furnished with the Office Action, the Gotzig reference is listed as U.S. Patent No. 6,906,640. A search of each patent number reveals the Gotzig reference to be U.S. Patent No. 6,906,640. Applicants respond as though the Office Action intended to use U.S. Patent No. 6,906,640 as the cited reference. Attempts to reach Examiner by telephone were unsuccessful.

The Tanaka reference (U.S. Patent No. 6,950,035) issued on September 27, 2005 from U.S. Patent Application Serial No. 10/408,232, which was filed on April 8, 2003. The Gotzig reference (U.S. Patent No. 6,906,640) issued on June 14, 2005 from U.S. Patent Application Serial No. 10/422,833, which was filed on April 25, 2003. The present application claims priority to German Patent Application No. 10257722.6, which was filed on December 11, 2002, which is plainly before the April 8, 2003 filing date of the Tanaka reference (U.S. Patent No. 6,950,035) and the April 25, 2003 filing date of The Gotzig reference (U.S. Patent No. 6,906,640). A certified translation accompanies this response.

It is therefore respectfully submitted that neither the Tanaka nor the Gotzig references constitute prior art against the present application. Accordingly, claims 8, 9, 11, 13 and 14 are allowable. Withdrawal of these rejections is therefore respectfully requested.

Claim 10 was rejected under 35 U.S.C. § 103(a) as unpatentable over the Tanaka reference in view of the Gotzig reference in further view of U.S. Patent No. 6,694,259 ("Curbow"). Claim 12 was rejected under 35 U.S.C. § 103(a) as unpatentable over the Tanaka reference in view of the Gotzig reference and in further view of U.S. Patent No. 6,265,968 ("Betzitza").

Claims 10 and 12 are allowable for at least the same reasons as their base claims, since the secondary references do not cure the critical deficiencies of the primary references, which are not prior art as to the present application.

Accordingly, claims 8 to 14 are allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the presently pending claims are allowable. It is therefore respectfully requested that the rejections (and any objections) be withdrawn. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully Submitted,

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